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Paper No. 120904

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MAIER & NEUSTADT, P.C.  
1940 Duke Street  
Alexandria, VA 22314

DEC 20 2004

In re Application of:  
HIRANO *et al.*  
Serial No.: 10/813,038  
Filed: March 31, 2004  
Attorney Docket No.: **251076US**

NOTICE OF WITHDRAWAL  
FROM ISSUE  
UNDER 37 CFR § 1.313

The purpose of this communication is to inform you that the above-identified application is being withdrawn from issue pursuant to 37 CFR § 1.313.

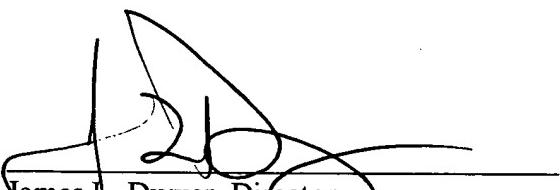
The above-identified application is hereby withdrawn from issue. The Notice of Allowance and Issue Fee Due and the Notice of Allowability mailed September 29, 2004, are hereby vacated.

The application is being withdrawn to permit reopening of prosecution. The reasons therefor will be communicated to you by the examiner in the next Office action.

Upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that any previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund, or a credit to a Deposit Account.

Telephone inquiries should be directed to Tom Thomas at (571) 272-1664.

The above-identified application is being forwarded to the examiner for prompt appropriate action.

  
James L. Dwyer, Director  
Technology Center 2800  
Semiconductors, Electrical and Optical  
Systems and Components

Mr. Dwyer,

Attached is the memo that you must sign and action to withdraw Application No. 10/813,038 from issue. The Applicants sent in an IDS after the Notice of Allowance with the proper fee and statement. One of the patents read directly on some of the claims. They would not accept a simple Examiner's Amendment and therefore the case must be withdrawn from issue. I showed it to Tom Thomas before he left.

Sincerely,

  
Allan Wilson

Primary Examiner

AU 2815